

*The Honorable Marsha J. Pechman*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YOLANY PADILLA, IBIS GUZMAN, BLANCA  
ORANTES, BALTAZAR VASQUEZ,

Plaintiffs-Petitioners,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT  
("ICE"); U.S. DEPARTMENT OF HOMELAND  
SECURITY ("DHS"); U.S. CUSTOMS AND BORDER  
PROTECTION ("CBP"); U.S. CITIZENSHIP AND  
IMMIGRATION SERVICES ("USCIS"); EXECUTIVE  
OFFICE FOR IMMIGRATION REVIEW ("EOIR");  
THOMAS HOMAN, Acting Director of ICE; KIRSTJEN  
NIELSEN, Secretary of DHS; KEVIN K. McALEENAN,  
Acting Commissioner of CBP; L. FRANCIS CISSNA,  
Director of USCIS; MARC J. MOORE, Seattle Field Office  
Director, ICE, JEFFERSON BEAUREGARD  
SESSIONS III, United States Attorney General; LOWELL  
CLARK, warden of the Northwest Detention Center in  
Tacoma, Washington; CHARLES INGRAM, warden of the  
Federal Detention Center in SeaTac, Washington; DAVID  
SHINN, warden of the Federal Correctional Institute in  
Victorville, California; JAMES JANECKA, warden of the  
Adelanto Detention Facility;

Defendants-Respondents.

No. 2:18-cv-928 MJP

**DEFENDANTS' MOTION  
FOR EXTENSION TO  
FILE ANSWER**

NOTE ON MOTION  
CALENDAR: JANUARY 4, 2019.

1 The United States of America hereby moves for an extension of time to file its answer in  
2 the above-captioned case.

3 1. At the end of the day on December 21, 2018, the appropriations act that had been  
4 funding the Department of Justice expired and appropriations to the Department lapsed. The  
5 same is true for several other Executive agencies, including the federal Defendants. The  
6 Department does not know when funding will be restored by Congress.

7  
8 2. Absent an appropriation, Department of Justice attorneys and employees of the  
9 federal Defendants are prohibited from working, even on a voluntary basis, except in very  
10 limited circumstances, including “emergencies involving the safety of human life or the  
11 protection of property.” 31 U.S.C. § 1342.

12  
13 3. Undersigned counsel for the Department of Justice therefore requests a stay of the  
14 answer deadline until seven days after Congress restores appropriations to the Department.

15 4. Counsel was unable to confer with Plaintiff on this motion due to its unexpected  
16 nature.

17 Therefore, although we greatly regret any disruption caused to the Court and the other  
18 litigants, the Government hereby moves for an extension of the answer deadline in this case until  
19 Department of Justice attorneys are permitted to resume their usual civil litigation functions.  
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1 Dated: December 26, 2018

Respectfully submitted,

2 JOSEPH H. HUNT  
3 Assistant Attorney General  
4 Civil Division

5 WILLIAM C. PEACHEY  
6 Director  
7 Office of Immigration Litigation,  
8 District Court Section

9 EREZ REUVENI  
10 Assistant Director  
11 Office of Immigration Litigation,  
12 District Court Section

13 /s/ Sarah Stevens Wilson  
14 SARAH STEVENS WILSON  
15 Assistant United States Attorney  
16 GA Bar No. 212212  
17 United States Department of Justice  
18 1801 Fourth Avenue North  
19 Birmingham, AL 35213  
20 Phone: (205) 244-2140  
21 Sarah.Wilson2@usdoj.gov

22 *Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 26, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically filed Notices of Electronic Filing.

/s/ Sarah Wilson

Assistant United States Attorney  
United States Department of Justice

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Defendants-Respondents.

No. 2:18-cv-928 MJP

**[PROPOSED] ORDER ON  
DEFENDANTS' MOTION  
FOR  
RECONSIDERATION**

1 For good cause shown, Defendants' Motion for an extension of time to file an answer is  
2 GRANTED.

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DEFENDANTS' MOTION FOR  
EXTENSION OF TIME

(Case No. 2:18-cv-00928-MJP)

Department of Justice, Civil Division  
Office of Immigration Litigation  
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